

Remarks

Claims 48 to 76 are pending in this application. Claim 69 is withdrawn. Claim 48, 57 and, per this submission, claim 66 and 75 are in independent form. Claim 66, as well as claims 67, 73 and 74, which are directly or indirectly dependent on claim 66 were objected to as being dependent on a rejected base claim, but were said to be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. An amendment incorporating the limitations of claim 48 into claim 66 was filed on March 24, 2008 with the Notice of Appeal, but was rejected in an Advisory Action of April 9, 2008. A further amendment, which has not yet been entered, was filed on April 24, 2008. This amendment reiterates the amendments of April 24, 2008 and also brings into independent form, objected to claim 75. Claim 76 is dependent from claim 75.

Memorandum of Interview

The undersigned, having receiving the Advisory Action of April 9, 2008, called, after a brief discussion with Supervisory Examiner Nancy Vogel on April 23, 2008, Examiner Michele Joice to discuss the Advisory Action and its meaning in view of the previous indication of allowability of claims 66, 67, 73 and 74. Examiner Joice kindly returned undersigned's telephone call on April 24, 2008 and explained that the indication of allowability after the incorporation of all the limitations of the base claim and any intervening claims meant that claim 66 directed at a vector useful as a bait vector in the method of claim 48, should have been converted into a method claim according to claim 48 in which the bait vector should have been further defined as set forth in dependent claim 66.

After this helpful clarification by Examiner Joice, the undersigned reiterated the amendments as explained by Examiner Joice to bring claim 66 into the form discussed and indicated that an appropriate amendment would be promptly filed.

Accordingly, an amendment was filed to comply with the requirement of form set forth in the advisory action of April 9, 2008 and further clarified by Examiner Joice in the interview memorialized above to bring the case into better form for appeal.

Applicants thus brought claim 66 into independent form in accordance with the undersigned's discussion with Examiner Joike on April 24, 2008. For clarification, the undersigned also amended claim 66 to remove duplicative reference indicators in the description of the bait vector ("(a)", "(b)" etc.) and amended claims 67, 73 and 74, which are dependent on claim 66 and were also indicated to be allowable, accordingly.

Claim 75 is brought into independent form with the present submission and, as no rejections are outstanding against this claim or against claim 76, which is dependent from claim 75, claims 75 and 76 should now be in condition for allowance.

Accordingly, only rejected claims 48 to 65, 68, 70 to 72 should now remain at issue, reducing the number of issues for appeal.

In view of the above, entry of this amendment is respectfully requested.

Any petition required for consideration of this paper is respectfully requested herewith and the Commissioner is authorized to charge deposit account 50-3135 for fees that might be required for such consideration.

Respectfully submitted,

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